

FORM PTO-1390
(REV. 01-2003)

US DEPARTMENT OF COMMERCE PATENT & TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER
120191

**TRANSMITTAL LETTER TO UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)
10/500,046

INTERNATIONAL APPLICATION NO.
PCT/JP02/13647

INTERNATIONAL FILING DATE
December 26, 2002

PRIORITY DATE CLAIMED
December 28, 2001

TITLE OF INVENTION
SPECTROMETERING APPARATUS

APPLICANT(S) FOR DO/EO/US
Mamoru USAMI et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
 - c. ☐ The International Application was filed in English.
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☒ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information: Designation of Ten Attorneys for Power of Attorneys



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/500,046	Mamoru Usami	120191

INTERNATIONAL APPLICATION NO.

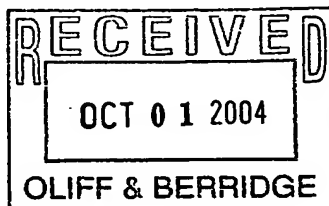
PCT/JP02/13647

LA. FILING DATE	PRIORITY DATE
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12/26/2002

12/28/2001

25944
OLIFF & BERRIDGE, PLC
P.O. BOX 19928
ALEXANDRIA, VA 22320



CONFIRMATION NO. 9149

371 FORMALITIES LETTER



OC000000013893279

Date Mailed: 09/27/2004

MISSING PARTS

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

DUE DATE

NOV 27 2004

- Copy of the International Application filed on 06/25/2004
- English Translation of the IA filed on 06/25/2004
- Copy of the International Search Report filed on 06/25/2004
- Preliminary Amendments filed on 06/25/2004
- Information Disclosure Statements filed on 06/25/2004
- U.S. Basic National Fees filed on 06/25/2004
- Priority Documents filed on 06/25/2004
- Power of Attorney filed on 06/25/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.101).

A copy of this notice **MUST** be returned with the response

DOCKETED
By GLB on 10/1 2004
and
By [Signature] on 10/1 2004
Oliff & Berridge

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/500,046	PCT/JP02/13647	120191

FORM PCT/DO/EO/905 (371 Formalities Notice)

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Mamoru USAMI et al.

ATTN: PCT Branch

Application No.: 10/500,046

Docket No.: 120191

Filed: September 15, 2004

For: SPECTROMETERING APPARATUS

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C 371 IN THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
DECLARATION ALREADY FILED

Director of the U.S. Patent and Trademark Office
Washington, D.C. 20231

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C 371 in the United States Designated/Elected Office (DO/EO/US) (copy attached) mailed on September 27, 2004, the executed Declaration and a Power of Attorney of the inventors was filed on September 15, 2004. Any necessary Designation of Ten Attorneys for Power of Attorney or Transmittal of Power of Attorney and Statement Under 37 C.F.R. §3.73(b) is also attached. A copy of the executed Declaration as filed, a copy of the Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371, and a copy of the stamped postcard receipt are attached hereto. The surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)) was also paid on September 15, 2004 with our Check No. 158520 for \$130.

Entry of these documents on September 15, 2004 should have completed all of the filing formalities. Accordingly, prompt issuance of a Notification of Acceptance and Filing Receipt, and prompt examination and allowance of this application are respectfully solicited.

The Director is hereby authorized to charge any additional fee (or credit any overpayment) associated with this communication to Deposit Account No. 15-0461.

Respectfully submitted,



Mario A. Costantino
Registration No. 33,565

Eric D. Morehouse
Registration No. 38,565

MAC:EDM/ml
Date: November 26, 2004

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461
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PTO RECEIPT FOR FILING OF PAPERS

► **Mail Room (Regular Delivery)**

The following papers have been filed:

PCT Trans; CK 158520 (\$130); Des of Ten Attorneys; Dec

Name of Applicant: Mamoru USAMI et al.

Serial No.: 10/500,046

Atty. File No.: 120191

Title (New Cases):

Sender's Initials: MAC/mlo

7/8/04

PATENT OFFICE DATE STAMP



**COPY TO BE STAMPED BY PATENT OFFICE
AND RETURNED BY MESSENGER**

**Oliff & Berridge, PLC
277 S. Washington Street, Suite 500, Alexandria, Virginia 22314**